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8 CITY OF PALOS VERDES ESTATES
and CHIEF OF POLICE JEFF KEPLEY
9

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
12

13 CORY SPENCER, an individual;
14 DIANA MILENA REED, an
individual; and COASTAL
15 PROTECTION RANGERS, INC., a
California non-profit public benefit
corporation,

16 Plaintiffs,
17

18 v.

19 LUNADA BAY BOYS; THE
INDIVIDUAL MEMBERS OF THE
20 LUNADA BAY BOYS, including but
not limited to SANG LEE, BRANT
BLAKEMAN, ALAN JOHNSTON
21 AKA JALIAN JOHNSTON,
MICHAEL RAE PAPAYANS,
22 ANGELO FERRARA, FRANK
FERRARA, CHARLIE FERRARA,
23 and N. F.; CITY OF PALOS VERDES
ESTATES; CHIEF OF POLICE JEFF
24 KEPLEY, in his representative
capacity; and DOES 1-10,

25 Defendants.
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CASE NO. 2:16-cv-02129-SJO (RAOx)
Assigned to District Judge: Hon. S. James
Otero Courtroom: 10C

Assigned Discovery:
Magistrate Judge: Hon. Rozella A. Oliver

**STIPULATION TO TAKE NON-
EXPERT DEPOSITION OF
COASTAL PROTECTION RANGERS,
INC.'S PERSON MOST
KNOWLEDGEABLE AFTER
DISCOVERY CUT-OFF**

Complaint Filed: March 29, 2016
Trial Date: November 7, 2017

Case No. 2:16-cv-02129-SJO (RAOx)

STIPULATION TO TAKE NON-EXPERT DEPOSITION OF COASTAL PROTECTION RANGERS, INC.'S
PERSON MOST KNOWLEDGEABLE AFTER DISCOVERY CUT-OFF

1 Pursuant to Fed. R. Civ. P. 29, Defendants City of Palos Verdes Estates and
2 Chief of Police Jeff Kepley ("City Defendants") and Plaintiffs Cory Spencer, Diana
3 Milena Reed, and Coastal Protection Rangers, Inc. ("Plaintiffs") hereby stipulate as
4 follows:

5 WHEREAS, the Court set the close of non-expert discovery [Docket No. 120]
6 in this matter for Monday, August 7, 2017, and the parties understand the Court's
7 Standing Order requires depositions to commence sufficiently in advance of the
8 discovery cut-off date to allow the deposing party enough time to bring any
9 discovery motion in advance of the cut-off date (S. James Otero Standing Order,
10 ¶22(b));

11 WHEREAS after filing their motion for summary judgment in this matter on
12 July 14, 2017, to assist in their preparation for trial in this matter, the City
13 Defendants want to take a Fed. R. Civ. P. 30(b)(6) deposition of Plaintiff Coastal
14 Protection Rangers, Inc. ("CPR"), and served a notice to do so Thursday July 27,
15 2017, for a deposition to take place on Monday, August 7, 2017, or a later date if
16 Plaintiffs stipulated to such later date;

17 WHEREAS, Plaintiffs' counsel and CPR were not available on Monday,
18 August 7, 2017;

19 WHEREAS, beyond the unavailability due to scheduling, there was failed
20 communication with respect to the City Defendants' notice, related to the Plaintiffs
21 pursuing numerous discovery motions, taking the deposition of Alan Johnston
22 (Johnston's deposition took place on August 28, pursuant to a Plaintiff-initiated
23 motion to compel), and Plaintiffs opposing eight motions for summary judgment
24 filed by the defendants: (1) City Defendants (opposition due July 31);
25 (2) Defendants Sang Lee (opposition due August 7); (3) Defendant Brant Blakeman
26 (opposition due August 7); (4) Defendant Frank Ferrara (opposition due August 7);
27 (5) Defendant Charlie Ferrara (opposition due August 7); (6) Defendant Angelo
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1 Ferrara (opposition due August 7); (7) Defendant Alan Johnston (opposition due
2 August 7); and (8) Defendant Michael Rae Papayans (opposition due August 7);

3 WHEREAS, to allow the City Defendants to prepare for trial, the Plaintiffs do
4 not object to the City Defendants taking CPR's person most knowledgeable
5 deposition pursuant to Fed. R. Civ. P. 30(b)(6) in this matter after the close of
6 discovery, and CPR agrees to produce a person most knowledgeable on Thursday,
7 August 24, 2017, in Irvine, California;

8 WHEREAS, with approval of the Court of a non-expert deposition taking
9 place after the close of discovery, Plaintiffs agree to make CPR available for a
10 30(b)(6) deposition in advance of trial in this matter in Irvine, California;

11 WHEREAS, based on the foregoing, good cause exists to modify the
12 discovery cut-off date to permit a Fed. R. Civ. P. 30(b)(6) deposition of CPR in
13 advance of trial;

14 THEREFORE, subject to the Court's approval and entry of the proposed
15 order, the City Defendants and Plaintiffs stipulate and agree as follows:

16 1. The discovery cut-off set by the Court is modified to allow a single
17 Fed. R. Civ. P. 30(b)(6) deposition of CPR to occur after the original August 7, 2017
18 discovery cut-off date;

19 2. CPR preserves its right to object to an amended deposition notice of
20 CPR pursuant to 30(b)(6); and,

21 3. In the event that CPR intends to designate more than one witness to be
22 deposed on its behalf, and in the event that all designated witnesses cannot
23 reasonably be deposed on the stipulated August 24, 2017 date, the parties to this
24 stipulation agree to coordinate and cooperate to select further mutually agreeable
25 dates to permit all CPR-designated 30(b)(6) witnesses to be deposed as soon as
26 respective schedules permit, but no later than September 15, 2017.

27 The City Defendants and Plaintiffs hereby request that the Court enter an
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1 Order consistent with the above-stated Stipulation.

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3 DATED: August 16, 2017

KUTAK ROCK LLP

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6 By: /s/ Edwin J. Richards

7 EDWIN J. RICHARDS

8 ANTOINETTE P. HEWITT

9 CHRISTOPHER D. GLOS

10 Attorneys for Defendants

11 CITY OF PALOS VERDES ESTATES

12 and CHIEF OF POLICE JEFF KEPLEY

13 DATED: August 16, 2017

HANSON BRIDGETT LLP

14
15 By: /s/ Kurt A. Franklin

16 KURT A. FRANKLIN

17 LISA M. POOLEY

18 SAMANTHA D. WOLFF

19 TYSON M. SHOWER

20 LANDON D. BAILEY

21 Attorneys for Plaintiffs

22 CORY SPENCER, DIANA MILENA

23 REED, and COASTAL PROTECTION

24 RANGERS, INC.